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In re Application of
M. Mintu Bachann
Application No. 10/616,300
Filed: July 10, 2003
Attorney Docket No. LEX8003-0001

OFFICE OF PETITIONS
ON PETITION

This is a decision on the petition to withdraw the holding of abandonment, filed October 26, 2007, and treated under 37 CFR 1.181.

The petition under 37 CFR 1.181 is **GRANTED**.

The application was held abandoned on July 6, 2007 for failure to file a timely response to the non-Final Office Action mailed April 5, 2007. A three (3) month period for reply was set. Accordingly, a Notice of Abandonment was mailed on October 17, 2007.

Petitioner asserts that a proper response in the form of an amendment with a three month extension of time was filed on October 5, 2007 via the Electronic Filing System (EFS Web). Submitted as proof is an Electronic Acknowledge Receipt and a copy of printout from the PAIR system showing that the response was filed on October 5, 2007.

A search of the application file and the USPTO records reveals that in fact, an amendment and three month extension of time were timely filed on October 5, 2007, and are of record.

Accordingly, the Notice of Abandonment mailed October 17, 2007 was mailed in error and is hereby withdrawn. No petition fee is due and none has been charged. The extension of time fee in the amount of \$1050 was properly charged upon receipt.

This matter is being referred to Technology Center 3694 for treatment of the response filed October 5, 2007.

Telephone inquiries concerning this matter may be directed to the undersigned Petitions Attorney at (571) 272-3212.

Patricia Faison-Ball
Senior Petitions Attorney
Office of Petitions